



FOR IMMEDIATE RELEASE
03/18/2020 at 9:00 AM

Town & County of Nantucket

Coronavirus Response Team

Public Information Officer –Gregg Tivnan, Assistant Town Manager

THE COVID-19 CRISIS AND LIMITING NANTUCKET FERRY SERVICES

Please check the Town's website for up-to-date information at www.nantucket-ma.gov.

Dear Nantucket Community:

Over concerns of the spread of the Coronavirus several members of the community have voiced their concerns about the number of residents, tourists, seasonal homeowners and workers coming to the island daily on the Steamship Authority and Hy-Line Cruises. Most have asked Town government to limit the number of passengers or ferry runs daily while a few have asked the Town to outright ban passenger service and/or limit those traveling to Island residents only, until the Coronavirus crisis is over.

Here are some answers to frequently asked questions regarding the Town's ability to limit ridership on the Steamship Authority and Hy-Line Cruise services:

1. Does the Town or County of Nantucket own the Steamship or the Hy-Line or the ferries they operate?

No, neither the Town nor the County of Nantucket own the Steamship or the Hy-Line or the ferries they operate. These are businesses entirely separate from the operations of the Town or County of Nantucket.

2. Does the Town or County of Nantucket own or regulate the water routes that the ferries use?

No, transportation over waters of the United States and through United States airspace is exclusively regulated by the United States through the Department of Home Land Security and its subsidiary agencies, including the Federation Aviation Authority and the Transportation Security Agency (TSA). The jurisdiction of the United States is exclusive meaning that there is no authority for a local jurisdiction such as the Town to restrict the ability of individuals or cargo from accessing the Island by ferry or airplane. Transportation over waters of Nantucket Sound is exclusively regulated by the state and federal governments and not by the Town or County of Nantucket.

3. Why can't the Town close the Steamship Wharf and Straight Wharf to ferry service?

The Town of Nantucket does not own the docks that service them therefore the Town or County cannot limit or alter service. Steamship Wharf is owned by the Steamship and the area where the Hy-Line docks is owned by a private entity.

4. Has the Select Board or Town Government contacted the Steamship and Hy-Line as to reducing occupancy on the ferries?

Yes, on March 16 the Select Board Chair and Town Officials contacted both ferry operators to request limitations on passenger service to the island. Although both services said the Town's request is being taken into consideration ferry schedules and capacity have not changed. The alteration or limitation of service must either be voluntary by the ferry service operators or ordered by the state or federal government.

5. North Haven Island, ME banned ferry service to their island, why can't Nantucket?

Town Officials have been made aware of a situation in Maine where a very small island called North Haven (population 355) shut down ferry service to non-residents. In this case the Town of North Haven owns the ferry dock which gives them leverage. Town officials asked the ferry service provider – Maine State Ferry – to cease service and they complied. The circumstances that allowed for this in North Haven, ME do not exist for Nantucket.

6. Is there any way Steamship and Hy-Line can be instructed to stop or limit service?

Aside from voluntarily limiting service the only way to stop or limit service would be through the issuance of a Federal or State Declaration – currently the State's Emergency Declaration exempts public transportation services, including ferry services to the Islands. Town Officials asked Counsel on how to get a Federal or State Declaration and it is Counsel's opinion that neither the Federal or State authorities would consider a grant of delegation of authority that would allow the Town to place restrictions on the transportation of people to and from the Island.

Nantucket Officials urge Community Members, Visitors and Potential Visitors to continue to follow the guidelines of the Centers for Disease Control with respect to social distancing, sanitizing, travel and the other measures needed to “flatten” the contagion – all of these guidelines may be found through the Town website.

<end>